



Kelly E. Farnan
302-651-7705
Farnan@rlf.com

May 19, 2023

BY CM/ECF

The Honorable Jennifer L. Hall
United States District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801

Re: *Samsung Electronics Co., Ltd., et al. V. Netlist, Inc.*, C.A. No. 21-1453-RGA-JLH

Dear Judge Hall:

I write on behalf of Google LLC and Alphabet Inc. (jointly, “Google”) regarding Defendant and Counter-Plaintiff Netlist, Inc.’s Response to Notice of Supplemental Authority (D.I. 108). Netlist’s response goes well beyond the citation of supplemental authorities permitted by Local Rule 7.1.2(b). Netlist’s response constitutes additional briefing and even touches on topics outside of the additional authority cited by Google. Given that Netlist’s response comprises additional argument not contemplated by the Local Rules, Google respectfully requests that the Court disregard it. However, to the extent the Court considers Netlist’s response, Google respectfully requests that the Court grant leave for Google to file the attached reply, responding to the arguments made by Netlist. Google provided Netlist with a draft of its reply yesterday and asked whether Netlist opposed filing of the reply. Netlist has not yet provided its position.

We appreciate the Court’s consideration of this request and will be prepared to address this at the argument scheduled for May 22.

Respectfully,

/s/ *Kelly E. Farnan*

Kelly E. Farnan (#4395)

cc: Counsel of Record (via CM/ECF)

